

**FEDERAL PUBLIC DEFENDER  
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REPLY TO: ROCHESTER

March 2, 2006

Via Facsimile

Honorable Michael A. Telesca  
United States District Judge  
2720 U.S. Courthouse  
100 State Street  
Rochester, NY 14614

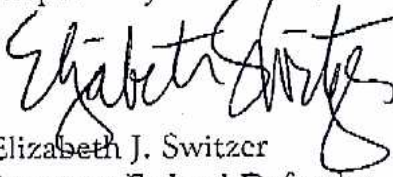
Re: United States v. James McCloud, 04-CR-6179-T(P)

Dear Judge Telesca:

Magistrate Judge Payson issued a Report and Recommendation (R&R) on the above-referenced case. The R&R denied Mr. McCloud's motion to suppress evidence seized from 56 Garfield Street pursuant to the execution of the search warrant. I request a 15 day adjournment to file objections to the R&R. I have not had an opportunity to discuss this request with Melanie Babb from the U.S. Attorney's Office.

Please consider this letter my application to continue the tolling of the speedy trial clock pursuant to 18 U.S.C. § 3161(h)(1)(F) understanding that the period of excludable delay in this case will last until defense objections to the R&R are filed.

Respectfully submitted,

  
Elizabeth J. Switzer  
Assistant Federal Defender

EJS:dmp  
cc: Melanie Babb, AUSA (via facsimile)

Objections shall be filed no  
later than March 17, 2006. SO  
ORDERED.

S/MICHAEL A. TELESKA  
MICHAEL A. TELESKA, U.S.D.J.

DATED: 3/2/2006